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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/692,418

10/23/2003

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EXAMINER

TAYLOR, NICHOLAS R

ART UNIT

PAPER NUMBER

2141

MAIL DATE

DELIVERY MODE

05/29/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|---------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/692,418 | Applicant(s) BODIN ET AL. | |
| | Examiner Nicholas R. Taylor | Art Unit 2141 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>3/15/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-18 have been examined and are rejected.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Natsume, et al. (U.S. PGPub 2004/0199631).

4. As per claims 1, 7, and 13, Natsume teaches a method for improving the devices in a domain, the method comprising

receiving, within a network, a plurality of device effectiveness records for a first user created in a first domain; (Natsume, paragraphs 0080, 0081, 0099; see effectiveness measurements, e.g., of paragraphs 0114-0115)

storing the plurality of device effectiveness records; (Natsume, paragraphs 0099, 0102, and 0114)

identifying an effective device ID for the first user in dependence upon the plurality of device effectiveness records; and (Natsume, paragraphs 0099, 0100, 0101, and 0115, where a device is identified)

notifying a second user in a second domain of the effective device ID (Natsume, paragraphs 0071, 0081, 0100, 0102, 0166-0168, 0189, and 0190).

5. As per claims 2, 8, and 14, Natsume teaches the system further wherein identifying an effective device ID for the first user in dependence upon the plurality of device effectiveness records comprises comparing at least two device effectiveness records (Natsume, paragraphs 0099, 0100, 0101, and 0115).

6. As per claims 3, 9, and 15, Natsume teaches the system further wherein identifying an effective device ID for the first user in dependence upon the plurality of device effectiveness records comprises mining the plurality of device effectiveness records (Natsume, paragraphs 0099, 0100, 0101, and 0115,).

7. As per claims 4, 10, and 16, Natsume teaches the system further wherein an effective device ID identifies a new device for the user (Natsume, paragraphs 0071, 0081, 0100, 0102, 0166-0168, 0189, 0190, e.g., where related device IDs are suggested).

8. As per claims 5, 11, and 17, Natsume teaches the system further wherein an effective device ID identifies an upgrade for an existing device for the user (Natsume, paragraphs 0071, 0081, 0100, 0102, 0166-0168, 0189, and 0190, e.g., where related device IDs are suggested).

9. As per claims 6, 12, and 18, Natsume teaches the system further comprising creating a device effectiveness record (Natsume, paragraphs 0080, 0081, and 0099; see effectiveness measurements, e.g., of paragraphs 0114-0115).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. This includes:

U.S. PGPub 2002/0111172, which describes a method of location-based user profiling;

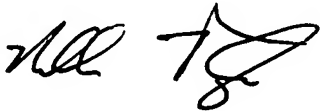
U.S. PGPub 2002/0090954, which describes a method of attribute-based user suggestions; and

U.S. PGPub 2002/0047861, which describes a technique of profiling users based on data mining.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nicholas Taylor
Examiner
Art Unit 2141



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER